

ADMINISTRATIVE—INTERNAL USE ONLY OLC and DDO

Extract from Staff Meeting Minutes of 2 April 1979

2 April 1979

*Chris fill.*

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In response to Mr. Carlucci's question, [ ] said that OLC is continuing to push Congress for FOIA relief and this subject could be raised during Wortman's 4 April hearing on firearms. Mr. Carlucci noted an increase in the number of open hearings being held, and [ ] explained this stemmed from political considerations. Mr. Carlucci speculated that he would expect hostile questions on FOIA, and opined that Morton Halperin probably has already provided such questions to appropriate Congressmen. McMahon suggested that the FOIA hearing should not be open because it would have an adverse effect on agents and intelligence liaison. Lapham countered that there is no other way to make a valid case for relief from FOIA except in the open. Mr. Carlucci suggested that if the Agency cannot make an open fight for its position, it should call off the hearing and learn to live with FOIA. Wortman mentioned that the FBI has been expressing concern similar to ours regarding the impact of FOIA on sources and methods.

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[ ] suggested the time was right for approaching the Senate on this matter. Mr. Carlucci said that he had rewritten the testimony prepared for him on this subject. He asked DDO to review it and advise him if he preferred to call off the hearing. In response to McMahon's comment that the Agency should try for a closed hearing, Mr. Carlucci said he agreed with Lapham's contention that this case would have to be made in the open.

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[ ] suggested that by the end of the day it should be apparent how **SSC/** feelings are developing on this question and depending on the results, we could try to delay the hearing. Mr. Carlucci suggested that OLC review his draft testimony and also provide copies to Lapham and McMahon for review. (Action: OLC and DDO) (AIUO)

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OBE - done*
 5 APR 1979

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